

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA
8

9 JAMES LUEDTKE,
10 Plaintiff,
11 v.
12 DALE DROZD, et al.,
13 Defendants.

Case No. 1:20-cv-01662-AWI-SAB
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
AND DISMISSING ACTION FOR FAILURE
TO PAY THE FILING FEE
(ECF Nos. 6, 7)

14
15 James Luedtke (“Plaintiff”), a federal prisoner, is appearing *pro se* in this civil rights
16 action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403
17 U.S. 388, 91 S.Ct. 1999 (1971), which provides a remedy for violation of civil rights by federal
18 actors. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. §
19 636(b)(1)(B) and Local Rule 302.

20 On December 21, 2020, the magistrate judge filed a findings and recommendations.
21 (ECF No. 6.) The magistrate judge recommended that this matter be dismissed for Plaintiff’s
22 failure to pay the filing fee. The findings and recommendations was served Plaintiff and
23 contained notice that any objections to the findings and recommendations were to be filed within
24 thirty from the date of service. On January 14, 2021, Plaintiff filed objections to the findings and
25 recommendations.

26 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
27 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the
28 findings and recommendations to be supported by the record and by proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations, filed December 21, 2020, is ADOPTED IN
3 FULL;

4 2. This matter is DISMISSED for Plaintiff's failure to pay the filing fee; and

5 3. The Clerk of the Court is DIRECTED to close this action.

6 IT IS SO ORDERED.

7 Dated: January 15, 2021


8 Shablii
9 SENIOR DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28